

## United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

PPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/642,669	08/19/2003	Masanori lida	33216M0391	3513
441	7590 03/21/2005		EXAM	INER
SMITH, GAMBRELL & RUSSELL, LLP 1850 M STREET, N.W., SUITE 800			LI, SI	нік
	ON, DC 20036		ART UNIT	PAPER NUMBER
, and an arrangement of the second of the se			2633	
			DATE MAILED: 03/21/200	5

Please find below and/or attached an Office communication concerning this application or proceeding.

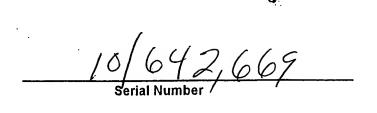
PTO-90C (Rev. 10/03)



Commissioner for Patents United States Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450 www.uscio.gov

## Notice of Non-Compliant Amendment (37 CFR 1.121)

correct	ed section	document filed onis considered non-compliant because it has failed to meet the requirements of in order for the amendment document to be compliant, correction of the following item(s) is required. Only the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).
THE F	OLLOWI I. Amer	NG CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT: ndments to the specification:  A. Amended paragraph(s) do not include markings.  B. New paragraph(s) should not be underlined.  C. Other
	2. Abstr	A. Not presented on a separate sheet. 37 CFR 1.72.  B. Other
	3. Amer	ndments to the drawings:
	4. Armer	A. A complete listing of <u>all</u> of the claims is not present.  B. The listing of claims does not include the text of all pending claims (including withdrawn claims)  C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).  D. The claims of this amendment paper have not been presented in ascending numerical order.  E. Other:
For furt	her explai w.uspto.g	nation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at ov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf.
non-enti	y of the	ant amendment is a PRELIMINARY AMENDMENT, applicant is given ONE MONTH from the mail date of ly the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in preliminary amendment and examination on the merits will commence without consideration of the proposed eliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is.
ONE Min order	ONTH fro to avoid a	iant amendment is a reply to a NON-FINAL OFFICE ACTION (including a submission for an RCE), and ment appears to be a bona fide attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).
reshous	nendment e to a fin the amer	is a reply to a FINAL REJECTION, this form may be an attachment to an Advisory Action. The period for all rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant adment.
Legal in	co k struments	S Examiner (LIE) Telephone No.



	Canceled claims cannot show text of claim.
	"Amended" is not a proper status identifier.
· .	Amendments to the Specifications should begin on a separate page.
	Amendment to the Claims should begin on a separate page.
	"Remarks" should begin on a separate sheet.
	The "Cover Sheet", amendments to the "Specifications", amendments to the "Claims", and "Remarks" should each begin on a separate sheet.
	Only "Currently Amended" and "Withdrawn" claims can show markings.
	<u>Drawings should each have "Replacement Sheet(s)" or "Annotated Sheet(s)" as a heading.</u>
	"Previously Added" is not a proper status identifier.
	"Previously Amended" is not a proper status identifier.
	A Clean copy and A Marked Up copy of the Claims is a Non-Compliant amendment Format.
	"Re-Presented" is an improper status identifier.
·	"Claims have been cancelled" is an improper status identifier.
٠.	"Currently Amended claims must show markings.

	A Clean copy and a Marked Up copy of Substitute Specification is needed.
<del></del>	Amendments to the Specifications must be by marked-up replacement paragraphs or sections only; (no clean or replacement paragraph or section is required; No replacements sheets permitted.
	replacements sheets permitted.

## REVISED AMENDMENT PRACTICE HIGHLIGHTS

Requirements of the revised amendment practice of the final rule for all amendments filed on or after <u>July 30, 2003</u>:

- 1. Each amendment section must begin on a separate sheet
- 2. A <u>separate "clean" version</u> of a currently amended paragraph or claim is NO LONGER REQUIRED (except for a <u>substitute</u> specification see No. 5 below)
- 3. If the amendment adds, changes, or deletes any claim, a <u>listing of all</u> <u>claims</u> that are, or were, in the application, must be provided as follows:
  - The claims must be listed in ascending numerical order
  - The text of all pending claims including withdrawn claims must be presented; no text for "canceled" or "not entered" claims
  - A <u>status identifier</u> must be presented in parentheses after the claim number for each claim; only the following identifiers are permitted: (original), (currently amended), (canceled), (withdrawn), (new), (previously presented), and (not entered)
  - All "currently amended" claims must have <u>markings</u> to show changes; the only markings permitted are underlining for added matter, strikethrough and double brackets [[ ]] (for five or fewer characters) for deleted matter
  - Grouping of consecutive "canceled" or "not entered" claims permitted (e.g., claims 2-8 (canceled))

- 5. Amendments to the specification by <u>marked-up replacement</u> <u>paragraphs or sections only</u> no clean replacement paragraph or section is required; NO replacement sheets permitted
  - Note, however, that for <u>substitute</u> specifications, rule 1.125 continues to require both a clean and marked-up copy
- 6. <u>Drawing changes</u> without markings clean replacement drawing sheets only annotated sheet(s) showing changes may be submitted